

AMENDED IN ASSEMBLY MARCH 18, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1512**

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**Introduced by Assembly Member Stone**

January 14, 2014

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An act to amend Section 4115.5 of the Penal Code, relating to corrections.

LEGISLATIVE COUNSEL’S DIGEST

AB 1512, as amended, Stone. Corrections: inmate transfers.

Existing law, until July 1, 2015, authorizes the board of supervisors of a ~~county~~, county where, in the opinion of the county sheriff or the director of the county department of corrections, adequate facilities are not available for prisoners, to enter into an agreement with any other county whose county adult detention facilities are adequate for and accessible to the first county and requires the concurrence of the receiving county’s sheriff or the director of the county department of corrections. Existing law also requires a county entering into a transfer agreement with another county to report annually to the Board of State and Community Corrections on the number of offenders who otherwise would be under that county’s jurisdiction but who are now being housed in another county’s facility and the reason for needing to house the offenders outside the county.

This bill would extend the operation of those provisions until July 1, ~~2020~~, 2018, and would clarify that the agreement between counties would be to permit commitment of sentenced misdemeanants, felons sentenced to serve a term in a county jail, and any person required to serve a term of imprisonment in county adult detention facilities as a condition of probation.

Existing law, operative July 1, 2015, authorizes a county where adequate facilities are not available for prisoners who would otherwise be confined in its county adult detention facilities to enter into an agreement with the board or boards of supervisors of one or more nearby counties whose county adult detention facilities are adequate for, and are readily accessible from, the first county for the commitment of misdemeanants and persons required to serve a term of imprisonment in a county adult detention facility as a condition of probation in jail in a county that is party to the agreement. Existing law, operative July 1, 2015, requires these agreements to provide for the support of a person so committed or transferred by the county from which he or she is committed.

This bill would ~~provide that~~ *instead make* those provisions ~~become~~ operative July 1, ~~2020~~ 2018.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 4115.5 of the Penal Code, as amended  
2 by Section 72 of Chapter 41 of the Statutes of 2012, is amended  
3 to read:  
4 4115.5. (a) The board of supervisors of a county where, in the  
5 opinion of the sheriff or the director of the county department of  
6 corrections, adequate facilities are not available for prisoners who  
7 would otherwise be confined in its county adult detention facilities  
8 *facilities*, may enter into an agreement with the board or boards  
9 of supervisors of one or more counties whose county adult  
10 detention facilities are adequate for and accessible to the first  
11 ~~county~~, *county to permit commitment of sentenced misdemeanants,*  
12 *persons sentenced pursuant to subdivision (h) of Section 1170,*  
13 *and any persons required to serve a term of imprisonment in county*  
14 *adult detention facilities as a condition of probation*, with the  
15 concurrence of that county's sheriff or director of its county  
16 department of corrections. When the agreement is in effect,  
17 commitments may be made by the court.  
18 (b) A county entering into an agreement with another county  
19 pursuant to subdivision (a) shall report annually to the Board of  
20 State and Community Corrections on the number of offenders who  
21 otherwise would be under that county's jurisdiction but who are

1 now being housed in another county's facility pursuant to  
2 subdivision (a) and the reason for needing to house the offenders  
3 outside the county.

4 (c) This section shall become inoperative on July 1, ~~2020~~, 2018,  
5 and, as of January 1, ~~2021~~, 2019, is repealed, unless a later enacted  
6 statute, that becomes operative on or before January 1, ~~2021~~, 2019,  
7 deletes or extends the dates on which it becomes inoperative and  
8 is repealed.

9 SEC. 2. Section 4115.5 of the Penal Code, as added by Section  
10 73 of Chapter 41 of the Statutes of 2012, is amended to read:

11 4115.5. (a) The board of supervisors of a county where  
12 adequate facilities are not available for prisoners who would  
13 otherwise be confined in its county adult detention facilities may  
14 enter into an agreement with the board or boards of supervisors of  
15 one or more nearby counties whose county adult detention facilities  
16 are adequate and are readily accessible from the first ~~county~~,  
17 ~~permitting county to permit~~ commitment of misdemeanants, and  
18 any persons required to serve a term of imprisonment in county  
19 adult detention facilities as a condition of probation, to a jail in a  
20 county having adequate facilities that is a party to the agreement.  
21 That agreement shall make provision for the support of a person  
22 so committed or transferred by the county from which he or she  
23 is committed. When that agreement is in effect, commitments may  
24 be made by the court and support of a person so committed shall  
25 be a charge upon the county from which he or she is committed.

26 (b) This section shall become operative on July 1, ~~2020~~, 2018.